Status: Point in time view as at 08/11/2006. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects
for the Charities Act 2006, Section 74. (See end of Document for details)

Charities Act 2006

2006 CHAPTER 50

PART 4

MISCELLANEOUS AND GENERAL

General

74   Orders and regulations

(1) Any power of a relevant Minister to make an order or regulations under this Act is exercisable by statutory instrument.

(2) Any such power—

(a)   may be exercised so as to make different provision for different cases or descriptions of case or different purposes or areas, and

(b)   includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the relevant Minister considers appropriate.

(3) Subject to subsection (4), orders or regulations made by a relevant Minister under this Act are to be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Subsection (3) does not apply to—

(a)   any order under section 11,

(b)   any regulations under section 13(4)(b) which amend any provision of an Act,

(c)   any regulations under section 72,

(d)   any order under section 75(4) which amends or repeals any provision of an Act or an Act of the Scottish Parliament,

(e)   any order under section 76 or 77, or

(f)   any order under section 79(2).

(5) No order or regulations within subsection (4)(a), (b), (c), (d) or (e) may be made by a relevant Minister (whether alone or with other provisions) unless a draft of the order

or regulations has been laid before, and approved by resolution of, each House of Parliament.

(6) If a draft of an instrument containing an order under section 11 would, apart from this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.

(7) In this section "relevant Minister" means the Secretary of State or the Minister for the Cabinet Office.

Status:
Point in time view as at 08/11/2006. This version of this provision has been superseded.

Changes to legislation:
There are currently no known outstanding effects for the Charities Act 2006, Section 74.